

_____ BILL NO. _____

INTRODUCED BY _____

(Primary Sponsor)

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT A RENEWABLE ENERGY DEALER OR INSTALLER IS NOT AN ELECTRICAL CONTRACTOR; ALLOWING A RENEWABLE ENERGY DEALER OR INSTALLER TO ENGAGE IN BUSINESS WITHOUT AN ELECTRICIAN'S LICENSE UNDER CERTAIN TERMS; AMENDING SECTIONS 37-68-102 AND 37-68-103, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-68-102, MCA, is amended to read:

"37-68-102. Definitions. Unless the context requires otherwise, in this chapter, the following definitions apply:

(1) "Board" means the state electrical board provided for in 2-15-1764.

(2) "Department" means the department of labor and industry provided for in Title 2, chapter 15, part 17.

(3) (a) "Electrical contractor" means a person, firm, partnership, corporation, association, or combination of these that undertakes or offers to undertake for another the planning, laying out, supervising, and installing or the making of additions, alterations, and repairs in the installation of wiring apparatus and equipment for electric light, heat, and power.

(b) A registered electrical engineer who plans or designs electrical installations is not an electrical contractor.

(c) The term does not include a renewable energy dealer or installer.

(4) "Journeyman electrician" means a person having the necessary qualifications, training, experience, and technical knowledge to wire for, install, and repair electrical apparatus and equipment for light, heat, power, and other purposes under the rules governing this work.

(5) "Master electrician" means a person having the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, and supervise the installation and repair of wiring apparatus and equipment for electric light, heat, power, and other purposes under the rules governing this work.

(6) "Renewable energy dealer or installer" means a person, firm, partnership, corporation, association,

1 or combination of these entities that specializes in the design, sale, installation, maintenance, or repair of an
2 alternative energy system, as defined in 15-32-102.

3 ~~(6)(7)~~ "Residential electrician" means a person having the necessary qualifications, training, experience,
4 and technical knowledge to wire for, install, and repair electrical apparatus and equipment for light, heat, power,
5 and other purposes in residential construction consisting of less than five living units in a single structure under
6 the rules governing this work."

7
8 **Section 2.** Section 37-68-103, MCA, is amended to read:

9 **"37-68-103. Exemptions.** (1) ~~Nothing in this~~ This chapter ~~shall be deemed to~~ does not apply to the
10 installation, alteration, or repair of electrical signal or communications equipment owned or operated by a public
11 utility or a city. For purposes of this exemption, "communications equipment" includes telephone wire inside a
12 customer's premises. ~~Nothing in this~~ This chapter ~~prohibits~~ does not prohibit a public utility from doing inside
13 wiring to install, alter, repair, or maintain electrical equipment, installations, or facilities in buildings owned by the
14 public utility if the work is accomplished by an employee who is a licensed electrician. If the building owned by
15 the public utility is open to the public and the inside wiring constitutes major renovation or construction, the
16 installation, alteration, repair, or maintenance of electrical equipment, installations, or facilities is subject to
17 permits and inspections required by law.

18 (2) The licensing or inspection provisions of this chapter do not apply to regularly employed maintenance
19 electricians doing maintenance work on the business premises of their employer, ~~nor do they apply or~~ to line work
20 on the business premises of the employer when ordinary and customary in-plant or onsite installations,
21 modifications, additions, or repairs are performed.

22 (3) ~~Nothing in this~~ This chapter ~~shall~~ may not be construed to require an individual to hold a license while
23 or for doing electrical work on ~~his~~ the individual's own property or residence provided that ~~said~~ the property or
24 residence is maintained for ~~his~~ the individual's own use.

25 (4) An individual, firm, partnership, or corporation may engage in business as an electrical contractor
26 without an electrician's license if all electrical work performed by ~~such~~ the individual, firm, partnership, or
27 corporation is under the direction, control, and supervision of a licensed master electrician or under the direction,
28 control, and supervision of a journeyman electrician for residential construction consisting of less than five living
29 units in a single structure.

30 (5) A renewable energy dealer or installer may engage in business without an electrician's license if:

(a) all system-specific work is performed under the direction, control, and supervision of an individual certified by the North American board of certified energy practitioners or another certifying body accredited by the American national standards institute; and

(b) all connections to a structure's alternating current service panel are performed under the direction, control, and supervision of a licensed master electrician or under the direction, control, and supervision of a licensed journeyman electrician for residential construction consisting of less than five living units in a single structure.

~~(5)(6)~~ Any person who plugs in an electrical appliance where an approved electrical outlet is already installed shall not be considered as an installer.

(6)(7) ~~No provisions of this~~ This chapter ~~shall~~ may not in any manner interfere with, hamper, preclude, or prohibit any vendor of any electrical appliance from selling, delivering, and connecting any electrical appliance if the connection does not necessitate the installation of electrical wiring of the structure where the appliance is to be connected."

NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval.

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